



## MILPITAS PLANNING COMMISSION STAFF REPORT

August 10, 2016

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<b>APPLICATION:</b>	<b>PARCEL MAP – P-MT16-0002</b> – A request for a Parcel map entitlement that includes, but is not limited to, adjustment of an existing property line, vacate portion of public cul-de-sac, and offer a street dedication for public use on 11 acres.
<b>RECOMMENDATION:</b>	<b>Staff recommends that the Planning Commission: Adopt Resolution No. 16-030 approving Parcel map MT16-0002</b>
<b>LOCATION:</b>	
Address/APN:	1830 McCandless Drive (APN's 086-41-016,017,018)
Area of City:	Transit Area Specific Plan (TASP) area – Montague Corridor Sub district
<b>PEOPLE:</b>	
Project Applicant:	City of Milpitas
Consultant(s):	Mott MacDonald, Hohbach-Lewin, Inc.
Property/Business Owner:	City of Milpitas / Milpitas Unified School District
Project Planner:	Michael Fossati, Senior Planner
<b>LAND USE:</b>	
General Plan Designation:	Parks and Open Space (POS)
Zoning District:	Parks and Open Space (POS)
Overlay District:	Transit Oriented Development (TOD) and Site and Architectural Overlay (S)
<b>ENVIRONMENTAL:</b>	This project is categorically exempt from further CEQA review pursuant to Section 15305 (Minor Alterations to Land Use Limitations) of the CEQA Guidelines.

### EXECUTIVE SUMMARY

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On June 22, 2016, the City of Milpitas approved a tentative parcel map for an approximately 11 acre, two parcel site located at 1830 McCandless Drive. The City is currently working with the Milpitas Unified School District (School District) to develop a public school site and public park area located on the two parcels. Prior to selling one of the two properties to the School District, the City is requesting the Planning Commission to approve the Parcel map for the property.

Actions of the parcel map include a lot line adjustment, vacating portions of a public cul-de-sac, and creating a street dedication for public use.

### Map 1 Project Location



### Map 2 Project Site



## **BACKGROUND**

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### ***History***

In June 2008, the Milpitas City Council adopted the Milpitas Transit Area Specific Plan (TASP) to transform an older industrial area in south Milpitas into a high-intensity mixed-use area with housing, office, and commercial uses. Additional uses within TASP include parks, community services and a school. At that time, a 10.9-acre site located at 1830 McCandless (McCandless Property) was identified as a potential school site.

In February 2011, the Milpitas Redevelopment Agency (Redevelopment) acquired the “McCandless Property”, from private landowners. With the dissolution of Redevelopment, the property is now controlled by the City of Milpitas (City).

In August 2014, the City agreed with the School District to sell approximately 6.7 acres of the 10.9 acre site for educational purposes. The City is currently working with the School District to develop the property into the proposed uses:

- Elementary School
- Public Park

To realize the project, the City must make changes to the existing land encumbrances. Those changes to place in the form of a tentative parcel map (approved by the City on June 22, 2016) and Parcel map, which is discussed in greater detail below.

### ***The Application***

On May 31, 2016, the City submitted an application for a tentative and Parcel map. The tentative parcel map was submitted for the property located at McCandless Property, as described above and was approved by Planning Commission on June 22, 2016. Below is a table with the property summary.

**Table 1: Property Summary**

General Plan Designation	POS – Parks and Open Space
Zoning District	POS – Parks and Open Space
Site Size	10.9 acres
Present Use	Vacant Site
Surrounding Zoning and Uses	
North:	Multi-Family Residential (R3); Residential Uses
South:	Mixed Use (MXD3); Carl’s Jr. Restaurant
East:	Mixed Use (MXD3); Industrial Buildings
West:	Multi-Family (MXD3); Residential Uses
Access	Site access is from McCandless Drive

## PROJECT DESCRIPTION

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### *Overview*

The application for a Parcel map would allow the City to make changes to the land parcels. Those changes include:

- Complete a lot line adjustment to create a Parcel A (4.15 acres) for a city park and Parcel B (6.7 acre parcel) for an elementary school site. Portions of the elementary school site would include a recreation area that would be shared with the school and the City.
- Vacate an existing cul-de-sac along the eastern property line of Parcel A and Parcel B. The existing cul-de-sac is on the western portion of Houret Drive and no longer needed for the street.
- Create a street dedication for public use. Uses include parking area and sidewalk for the proposed school and park.

## PROJECT ANALYSIS

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### *General Plan Conformance*

#### General Plan

The project is consistent with the following guiding policies and implementing principles of the General Plan:

- *2.c.I-2 – Locate future schools sites on the General Plan Diagram if and when any amendments to the Plan are made that would necessitate new schools. The General Plan acknowledges that the future school site is identified in the Transit Area Specific Plan (TASP) Land Use Map is consistent with the General Plan policy. The property identified in the TASP land use map is the McCandless Property. Therefore, the parcel map is consistent with the General Plan of the City of Milpitas.*

The City is moving forward to sell the District a portion of the McCandless property. The City is following the policies established by the General Plan and the TASP to eventually construct a school and park for the site at a later date. Prior to development of the site, a parcel map is required to remove any encumbrances and create appropriate easements to provide required parking and sidewalks for the site. The parcel map only requires General Plan conformance to be approved.

## FINDINGS FOR APPROVAL

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A finding is a statement of fact relating to the information that the Planning Commission has considered in making a decision. Findings shall identify the rationale behind the decision to take a certain action.

### *Findings*

To approve the Parcel map, the following findings must be made pursuant to Milpitas Municipal Code Section XI-1-20.01:

1. *The proposed use must be consistent with the Milpitas General Plan*

The table below outlines the project's consistency with applicable General Plan Guiding Principles and Implementing Policies:

**Table 3: General Plan Consistency**

<b>Policy</b>	<b>Consistency Finding</b>
<i>2.c.I-2 – Locate future schools sites on the General Plan Diagram if and when any amendments to the Plan are made that would necessitate new schools. The General Plan acknowledges that the future school site is identified in the Transit Area Specific Plan (TASP) Land Use Map is consistent with the General Plan policy.</i>	<b>Consistent.</b> The property identified in the TASP land use map is the McCandless Property. Therefore, the parcel map is consistent with the General Plan of the City of Milpitas.

**ENVIRONMENTAL REVIEW**

The Planning Division conducted an environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). Per staff's review, the project is Categorically Exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15305 (Minor Alterations to Land Use Limitations) of the CEQA Guidelines.

**PUBLIC COMMENT/OUTREACH**

Staff provided public notice on the project site, on the City's Website, [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov), and posted at City Hall.

**CONCLUSION**

In conclusion, staff recommends the application for a Parcel map, given the findings as reference in this staff report.

**RECOMMENDATION**

STAFF RECOMMENDS THAT the Planning Commission:

1. Open the Public Hearing
2. Close the Public Hearing
3. Adopt Resolution No. 16-030 approving Parcel map MT16-0002, subject to the findings and Conditions of Approval.

**ATTACHMENTS**

A: Resolution No. 16-030

B: Proposed Parcel Map